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Remarks

The allowance of Claims 65-67, 69-81, 83-88, and 97 is gratefully acknowledged. The indicated allowability of Claims 7, 9, 12-18, 20, 27, 29, 32-38, 40, 47, 49, and 52-60 is also gratefully acknowledged. Claims 1-6, 8, 10, 11, 19, 23-26, 28, 30, 31, 39, 41-46, 48, 50, 51, 61, 95, and 96 have been rejected under 35 U.S.C. §103 as being unpatentable over Srivastava (USPN 6,684,331) in view of Schwenk (USPN 6,222,923), and Claims 21 and 22 have been rejected as being obvious over these two references in view of Van Rijnsoever et al. (USPP 2002/0090090). Claim 98 is indicated as being rejected but has been addressed.

Van Rijnsoever et al. bears a U.S. filing date that is after the present filing date, and hence is not prior art, see MPEP §2136.03(I) (foreign priority cannot be accorded to reference).

Turning to the remaining substantive rejections, as accurately admitted by the examiner Srivastava fails to teach partitioning users who are not in a revoked set into disjoint subsets having associated subset keys. Schwenk, col. 3, lines 35-42 has been relied on to remedy the shortfall. However, consider that in this section, Schwenk teaches that each subset has its own respective group key ("G"), with each group key being encrypted with the individual user keys ("P"), whereas Claim 1 requires encrypting a single session key K with the subset keys L_{i1}, \dots, L_{im} to render m encrypted versions of the session key K. Consequently, even if the group keys "G" of Schwenk were to be considered to be the claimed session key, a point Applicant does not concede, the invention of, e.g., Claim 1 would not result. It appears that for this reason, the rejections should be withdrawn.

Additionally, while the object of Schwenk indeed is to provide a way to allow only authorized users access, this does not suffice as a fair prior art suggestion to combine it with Srivastava, because Srivastava does not indicate that its system suffers from any particular problems in fencing off pirates, and Schwenk

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does not suggest that systems such as Srivistava's require such fencing off. Thus, the proffered motivation is at best a motivation to use Schwenk in a vacuum, but not in the context of Srivistava, thereby failing to meet the requirements of MPEP §2143.

The Examiner is cordially invited to telephone the undersigned at (619) 338-8075 for any reason which would advance the instant application to allowance.

Respectfully submitted,



John L. Rogitz
Registration No. 33,549
Attorney of Record
750 B Street, Suite 3120
San Diego, CA 92101
Telephone: (619) 338-8075

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